

BOARD FOR CONTRACTORS BOARD MEETING

DRAFT MINUTES

The Board for Contractors met on Tuesday, September 30, 2008 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Mark Cronin
Robert M. Kirby, Chairman
Jeffrey Modisett
Michael Redifer
William Rusher
Troy Smith
Homer C. Pete Sumpter
Deborah Lynn Tomlin
A. Bruce Williams
Dorothy Wood

Board Members absent from the meeting were:
Kenneth Hart, Jack Miller and Wyatt H. Walton.

Staff members present for all or part of the meeting were:

Jay W. DeBoer, Director
Eric L. Olson, Executive Director
Mark Courtney, Deputy Director, LRD
Mary Broze-Vaughan, Communications Specialist
Sheila Watkins, Administrative Assistant
Earlyne Perkins, Legal Analyst
Michelle Atkinson, Legal Analyst
Victoria Traylor, Legal Analyst
Jill Richardson, Licensing & Education Administrator
Adrienne Mayo, Regulatory Boards Administrator
Steven Jack, Assistant Attorney General

Chairman Robert Kirby called the meeting to order at 9:10 a.m. and declared declared a of board members was in attendance.

**Call
To Order**

A motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to approve the agenda with the correction of the chairman's name to reflect Mr. Kirby. The motion passed unanimously. Members voting "Yes" were: **Redifer, Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

**Approval of the
Agenda**

Hart, Miller, Walton and Williams were absent.

A motion was made by Ms. Wood and seconded by Mr. Redifer to adopt the following resolution to honor the years of dedicated service by former Board Member Mark D. Kinser to the Board:

**Board Resolution
Mark D Kinser**

Department of Professional and Occupational Regulation

Board for Contractors Resolution

Mark D. Kinser

WHEREAS, Mark D. Kinser faithfully and diligently served as Chairman and a member of the Virginia Board for Contractors from January 2001 to July 2008; and

WHEREAS, Mark D. Kinser has given generously of his time, talent and leadership to the Board, including chairing numerous Informal Fact-finding Conferences, serving as a member of the Board's Committee, and providing expertise to the Board as needed; and

WHEREAS, Mark D. Kinser endeavored always to protect the health, safety and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Contractors acknowledges its gratitude and appreciation for exceptional service by Mark D. Kinser, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this thirtieth day of September, in the year two-thousand and eight, that Mark D. Kinser be given all honors and respect due him for his outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he

is held.

The motion passed unanimously. Members voting yes were: **Redifer, Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Williams and Walton were not present and did not vote.

A motion was made by Ms. Wood and seconded by Mr. Redifer to adopt the following resolution to honor the years of dedicated service by former Board Member Anthony R. Orange to the Board:

**Board Resolution
Anthony R. Orange**

Department of Professional and Occupational Regulation

Board for Contractors Resolution

Anthony R. Orange

WHEREAS, Anthony R. Orange faithfully and diligently served as Vice Chairman and member of the Virginia Board for Contractors from July 2002 to August 2007; and

WHEREAS, Anthony R. Orange has given generously of his time, talent and leadership to the Board, including chairing numerous Informal Fact-finding Conferences, serving as a member of the Board's Committee, and providing expertise to the Board as needed; and

WHEREAS, Anthony R. Orange endeavored always to protect the health, safety and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Contractors acknowledges its gratitude and appreciation for exceptional service by Anthony R. Orange, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this thirtieth day of September, in the year two-thousand and eight, that Anthony R. Orange be given all honors and respect due him for his outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

The motion passed unanimously. Members voting yes were: **Redifer, Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Williams and Walton were not present and did not vote.

Ms. Wood moved to approve the following minutes as submitted from the:

Approval of Minutes

August 28, 2008, Board for Contractors Meeting
June 18, 2008 Informal Fact Finding Conference
July 16, 2008 Informal Fact Finding Conference
September 4, 2008 Informal Fact Finding Conference
September 9, 2008 Informal Fact Finding Conference

Mr. Sumpter seconded the motion and it was unanimously approved by members: Members voting “Yes” were: **Redifer, Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

There was no public comment.

Public Comment Period

In the matter of Recovery Fund File Number 2008-01884, Mary Farrell (Claimants) vs. Robert C Daley t/a American Quality Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **American Quality Construction (Regulant)** did not appear at the board meeting. **Mary Farrell (Claimant)** and counsel, Lisa Tuck attended the Informal Fact-Finding meeting. Mary Farrell also attended the Board meeting.

File Number
2008-01884
Mary Farrell vs.
Robert C Daley, t/a
American Quality
Construction

Mr. Redifer, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Smith** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer’s recommendations and summary for violations and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-02398, Ann C Wingfield (Claimants) vs. Leon Darius Brooks, Jr., t/a Comfort Builders (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Leon Darius Brooks, Jr. (Regulant)** did appear at the board meeting. He addressed the Board and shared his

File Number
2008-02398
Ann C Wingfield
vs. Leon Darius
Brooks, Jr. t/a

disagreement with the recommendation. **Ann C Wingfield (Claimants)** and counsel Frank Uvanni attended the Informal Fact Finding meeting. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$15,316.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Redifer, Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-02447, Barbara Eversole (Claimants) vs. Timothy W. Jarvis, t/a Builders `R` Hands On Painting & (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Timothy W. Jarvis (Regulant)** did not appear at the board meeting. **Barbara Eversole (Claimants)** did not attend the board meeting. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$7,348.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Redifer, Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-00298, Lancelot Williams (Claimants) vs. Sunrise Building Services, Inc., Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Sunrise Building Services, Inc. (Regulant)** did not appear at the board meeting. **Lancelot Williams (Claimants)** attended the board meeting and addressed the Board. **Mr. Sumpter**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$9,104.80**. The motion passed by unanimous vote. Members voting "Yes" were: **Redifer, Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-02899, John Brett (Claimants) vs. Bristow Building & Development LLC, t/a Bristow Building & Development, LLC. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **John**

Comfort Builders

File Number
2008-02447
Barbara Eversole
vs. Timothy W.
Jarvis, t/a Builders
`R` Us

File Number
2008-00298
Lancelot Williams
(Claimant) vs.
Sunrise Building
Services, Inc.

File Number
2008-02899
John Brett vs.
Bristow Building &

Brett (Regulant) appeared at the board meeting. **Bristow Building & Development, LLC (Claimants)** did not attend the board meeting. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Cronin** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

**Development, LLC,
t/a Bristow
Building &
Development, LLC.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2007-05016, Steve Harding (Claimants) vs. Robert P Ciariante & Robert C Pennypacker, III t/a Commonwealth Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Commonwealth Construction (Regulant)** did not appear at the board meeting. **Steve Harding (Claimants)** attended the board meeting. He addressed the Board and shared his disagreement with the recommendation. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$5,458.36**. The motion passed by unanimous vote. Members voting "Yes" were: **Redifer, Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

**File Number
2007-05016
Steve Harding vs.
Robert P Ciariante
& Robert C
Pennypacker, III, t/a
Commonwealth
Construction**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-00569, Mark & Allison Ruckh (Claimants) vs. Joseph Edward Dean, t/a J L Dean Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **J L Dean Construction (Regulant)** did not appear at the board meeting. **Mark Ruckh (Claimants)** did attend the board meeting. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Tomlin** and seconded by **Mr. Cronin** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$3,500.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

**File Number
2008-00569
Mark & Allison
Ruckh vs. Joseph
Edward Dean, t/a
J L Dean
Construction**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-02936, Alvin Ray Smith (Claimants) vs. Jose D Zapata, t/a Z B Concrete (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the

**File Number
2008-02936
Alvin Ray Smith**

summary and recommendation. **Z B Concrete (Regulant)** did not appear at the board meeting. **Alvin Ray Smith (Claimants)** did attend the board meeting. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Modisett** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$12,306.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

**vs. Jose D Zapata,
t/a ZB Concrete**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-02489, Jesse K Wright (Claimants) vs. A E Ryals Construction, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **A E Ryals Construction, Inc. (Regulant)** did not appear at the board meeting. **Jesse K Wright (Claimants)** attended the board meeting. She addressed the Board and shared her disagreement with the recommendation. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Modisett** and seconded by **Ms. Wood** to adopt the claim review and summary and to amend the hearing officer's recommendation for violations and approve the claim for payment in the amount of **\$11,274.69**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

**File Number
2008-02489
Jesse K Wright vs.
A E Ryals
Construction, Inc.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-03012, Kelly J Dise (Claimants) vs. Trademark Builders of Virginia, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Trademark Builders of Virginia, LLC (Regulant)** did not appear at the board meeting. **Kelly and Jean Dise (Claimants)** attended the board meeting. He addressed the Board and shared his agreement with the recommendation. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to adopt the claim review and summary and the hearing officer's recommendations for violations and approve the claim for payment in the amount of **\$15,190.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

**File Number
2008-03012
Kelly J Dise vs.
Trademark
Builders of
Virginia, LLC**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-00927, Frank Howard

File Number

(Claimants) vs. Gregory M Harris t/a GMH Stone Masonry (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **GMH Stone Masonry (Regulant) did not** attend the board meeting. **Frank & Suzanne Howard (Claimants)** did attend the board meeting. He addressed the Board and shared his concerns with the recommendation. **Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Modisett** to adopt the claim review and summary and the hearing officer's recommendations for violations and approve the claim for payment of \$7,043.00. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-03503, Allison R Osisek (Claimants) vs. George Thomas, t/a Thomas Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Thomas Construction (Regulant) did not appear** at the board meeting in person or by counsel. **Allison Osisek (Claimants)** attended the board meeting in person and addressed the Board and shared her agreement. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** to adopt the claim review and summary for violations and to adopt the hearing officer's recommendations and approve the claim for payment in the amount of **\$1,763.00.**

The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Redifer, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-03966, Susan G Noack (Claimants) vs. Remodeling Professionals and Craftsmen Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Remodeling Professionals and Craftsmen Inc. (Regulant) did not** appear at the board meeting. **Susan G. Noack (Claimants) did not** attend the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$7,184.00.** The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Redifer, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

2008-00927
Frank Howard vs.
Gregory M Harris,
t/a GMH Stone
Masonry

File Number
2008-03503
Allison R Osisek vs.
George Thomas, t/a
Thomas
Construction

File Number
2008-03966
Susan G Noack vs.
Remodeling
Professionals and
Craftsmen Inc.

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-04120 Marc Snyder (Claimants) vs. R C Construction Services Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **R C Construction Services Inc (Regulant)** did not appear at the board meeting. **Pamela and Marc Snyder (Claimants)** did attend the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Cronin** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$18134.57**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

File Number
2008-04120
Marc Snyder vs. R
C Construction
Services Inc.

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-04182 Brenda Smith (Claimants) vs. Jassen A Jones, t/a Jones Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Jones Construction (Regulant)** did not appear at the board meeting. **Brenda Smith (Claimants)** did attend the board meeting. She addressed the Board. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to table this case and allow staff time to retrieve the physical paper file for Board clarification. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

File Number
2008-04182
Brenda Smith vs.
Jassen A Jones, t/a
Jones Construction

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2007-04269 Albert Robbert (Claimants) vs. Dave's Contracting & Home Improvement LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Dave's Contracting & Home Improvement LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Albert Robbert and Birgit Robbert (Claimants)** did attend the board meeting in person. They addressed the Board. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in

File Number
2007-04269
Albert Robbert t/a
Dave's Contracting
& Home
Improvement LLC

the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-04350 Kim M Doran (Claimants) vs. Daniel Dodson, t/a Daniel Dodson Custom Builder (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Daniel Dodson Custom Builder (Regulant)** did not appear at the board meeting. **Kim Doran (Claimants)** attended the board meeting. She addressed the Board and shared her agreement with the recommendation. **Mr. Hollar**, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and summary and recommendations for violations the hearing officer’s and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

File Number
2008-04350
Kim M Doran vs.
Daniel Dodson , t/a
Daniel Dodson
Custom Builder

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-04360- Tammy Brecht (Claimants) vs. Apple Valley Pool & Relaxation Center LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Apple Valley Pool & Relaxation Contracting LLC (Regulant)** did not appear at the board meeting. **Tammy & Matthew Brecht (Claimants)** did not attend the board meeting. **Mr. Hollar**, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer’s recommendations and summary for violations and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood**.

File Number
2008-04360
Tammy Brecht vs.
Apple Valley Pool
& Relaxation
Center LLC

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-04182 Brenda Smith (Claimants) vs. Jassen A Jones, t/a Jones Construction (Regulant); **Mr. Redifer** offered a motion seconded by **Mr. Sumpter** to reopen the file for consideration. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Redifer, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood**.

File Number
2008-04182
Brenda Smith vs.
Jassen A Jones, t/a
Jones Construction

Hart, Miller, Walton and Williams were absent.

The board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation and paper file. **Jones Construction (Regulant)** did not appear at the board meeting. **Brenda Smith (Claimants)** did attend the board meeting. She addressed the Board. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After further discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the claim review and summary for violation and amend the recommendation and approve the claim for payment in the amount of **\$4,913.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-04473- Jennifer Rhyne (Claimants) vs. Cornerstone Custom Homes & Renovations LLC. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Cornerstone Custom Homes & Renovations LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Jennifer Rhyne (Claimants)** did not attend the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Redifer, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

File Number
2008-04473
Jennifer Rhyne vs.
Cornerstone
Custom Homes &
Renovations LLC

Hart, Miller, Walton and Williams were absent.

In the matter of Recovery Fund File Number 2008-04488 Thomas Moss (Claimants) vs. Michael Richard Roberts, t/a Cherokee Builders (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Cherokee Builders (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Thomas Moss (Claimants)** attended the board meeting. He addressed the Board and shared his agreement with the Recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

File Number
2008-04488
Thomas Moss vs.
Michael Richard
Roberts, t/a
Cherokee Builders

Hart, Miller, Walton and Williams were absent.

In the matter of Prima Facie File Number 2009-00081 Emmet Forbes (Claimants) vs. Dennis McCall, t/a A-Plus Builders (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **A-Plus Builders (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Emmet Forbes (Claimants)** did not attend the board meeting in person or by counsel or by any other qualified representative. After discussion, a motion was made by **Mr. Smith** and seconded by **Mrs. Tomlin** to adopt the claim review and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Redifer, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

File Number
2009-00081
Emmet & Andrea Forbes vs. Dennis McCall, t/a A-Plus Builders

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2009-00089, Timothy Loretta, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2009-00089
Timothy Loretta

Applicant Timothy Loretta appeared at the IFF but not the Board meeting in person or by counsel or by any other qualified representative. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2009-00104 Edward Hooks, Jr. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2009-00104
Edward Hooks, Jr. and Jamie Hooks

Applicant Edward Hooks, Jr appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Cronin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2009-00112, Lester C Simmons,

File Number

Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

2009-00112
Lester C Simmons,
Jr.

Applicant Lester C Simmons, Jr. did not attend the Board meeting. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2009-00105, Deidre Tyler, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2009-00105
Deidre Tyler

Applicant Deidre Tyler appear at the IFF. She did not attend the Board meeting in person or by counsel or by any other qualified representative. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a conditional license. **The motion passed by majority vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Rusher, Redifer and Sumpter.**

Mr. Kirby and Ms. Wood voted “no”.

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2009-00115, MLABoili, Inc the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2009-00115
MLABoili, Inc.

Applicant Lucio Aliaga appeared at the IFF and the Board meeting on behalf of **MLABoili, Inc.** He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Cronin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2009-00107, Anthony Terry, Sr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2009-00107
Anthony Terry, Sr.

Applicant Anthony Terry, Sr. was represented by Robert Allen at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Cronin** and seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a license. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2008-04677, Nathan Fleming t/a I & I Construction, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2008-04677
Nathan Fleming t/a
I & I Construction

Applicant Nathan Fleming, along with witnesses Sarah and Matthew Freeman appeared at the IFF and the Board meeting. They addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. Mr. Kirby asked Mr. Johnson if he had included his personal home on the financial statement that accompanied his license application and he replied “yes”. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Cronin** to remand this application back to an IFF to allow the applicant to show proper net worth of the company on the financial statement. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2008-04679 Lisa Coles t/a August Steam It, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2008-04679
Lisa Coles t/a
August Steam It

Applicant Lisa Coles appeared at the IFF and the Board meeting. Coles addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher,**

Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2008-04683, Ronald Lee Brown, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2008-04683
Ronald Lee Brown**

Applicant Ronald Lee Brown appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Cronin** and seconded by **Mr. Modisett** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2008-04686, American Home Builders, Inc, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2008-04686
American Home
Builders, Inc.**

Applicant American Home Builders, Inc was represented by **Mark Silvestro** appeared at the IFF and the Board meeting. He addressed the Board and shared his disagreement with the recommendation. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. The Board considered its Regulation: 18 VAC 50-22-50E and other applicable law: §54.1-1108 of the Code of Virginia. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license based upon the record. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2008-04689, CMW Builders Incorporated, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2008-04689
CMW Builders
Incorporated**

Applicant CMW Builders Incorporated appeared at the IFF and the Board meeting. He addressed the Board. **William Franklin Harr** appeared at the Board meeting on behalf of CMW Builders Incorporated. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. Mrs. Perkins shared with the Board that a correction of Board Regulations cited needed to be cited. Instead of 18 VAC 50-22-260.F it should be corrected to 18 VAC 50-22-60.F. After

discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. **The motion passed by majority vote. Members voting “yes” were: Tomlin, Smith, Kirby, Redifer, Rusher, Sumpter and Wood.**

Mr. Modisett and Mr. Cronin voted “no”.

Hart, Miller, Walton and Williams were absent.

In the matter of License Application File Number 2008-04685, William Milgrim the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2008-04685
William Milgrim,
Jr.

Applicant William Milgrim, Jr. did not appear at the Board meeting. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. **The motion passed by majority vote. Members voting “yes” were: Cronin, Smith, Redifer, Rusher and Sumpter.**

Members voting “no” were: Wood, Kirby, Tomlin and Modisett.

Hart, Miller, Walton and Williams were absent.

The Board took a ten minute recess.

Recess

Mr. Kirby called the meeting back to order after the recess.

Reconvene

In the matter of Disciplinary File Number 2008-01335, Amalgamated Building & Properties Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Amalgamated Building & Properties Inc** did not attend the IFF or the Board meeting. They nor anyone on their behalf appeared in person or by counsel or by any other qualified representative.

File Number
2008-01335
Amalgamated
Building &
Properties Inc

The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote. Mr. Redifer chaired this case. After discussion, a motion was made by **Mr. Wood** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Amalgamated Building & Properties Inc**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$1,000.00	
Total		\$1,000.00
In addition, for violation of Count 1, the Board voted to impose revocation of license 2705-110537 for the violation of the regulation.		

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-01583, Amalgamated Building & Properties Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Amalgamated Building & Properties Inc** did not attend the IFF or the Board meeting. They nor anyone on their behalf appeared in person or by counsel or by any other qualified representative.

File Number
2008-01583
Amalgamated
Building &
Properties, Inc.

The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote. Mr. Redifer chaired this case. After discussion, a motion was made by **Mr. Wood** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Amalgamated Building & Properties Inc**, violated the following sections of its Regulations:

Effective February1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 15	September 1, 2001
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18 VAC 50-22-260 B 28	
Count 5:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$250.00	
Count 2:	\$2,500.00	
Count 3:	\$2,500.00	
Count 4:	\$2,500.00	
Count 5:	\$1,500.00	
Total		\$9,250.00
For violation of Count 1, the Board voted to require Amalgamated Building & Properties Inc have a member of responsible management successfully complete a Board-approved remedial education class within 90 days of the order.		
In addition, for violation of Counts 2, 3, 4 and5, the Board voted to impose revocation of license 2705-110537 for the violation of the regulation.		

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-03092, Apple Valley Pool And Relaxation Center LLC, t/a Apple Valley Pool And Relaxation Center LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Apple Valley Pool And Relaxation Center LLC,** nor anyone on its behalf appeared at the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-03092
Apple Valley Pool
And Relaxation
Center LLC, t/a
Apple Valley Pool
And Relaxation
Center LLC

The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote. Mr. Redifer chaired this case. After discussion, a motion was made by **Mr. Cronin** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Apple Valley Pool And Relaxation Center LLC** violated the following sections of its Regulations:

Code of Virginia § 54.1-1110

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to impose the following sanctions:

The Board imposed revocation of license number **2705-068376** for the violation.

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-03384, Steven Foster, Jr. t/a Dominion General Contracting Company (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Steven Foster, Jr. t/a Dominion General Contracting Company,** nor anyone on its behalf appeared at the Board meeting.

**File Number
2008-03384
Steven Foster, Jr.
T/a Dominion
General
Contracting
Company**

The presiding Board representatives **Mr. Kirby** was not present, did not participate in the discussion and did not vote. Mr. Redifer chaired this case. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to lose this case with a finding of no violation. **The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-03865, Amalgamated Building & Properties Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Amalgamated Building & Properties Inc** did not attend the IFF or the Board meeting. They nor anyone on their behalf appeared in person or by counsel or by any other qualified representative.

**File Number
2008-03865
Amalgamated
Building &
Properties Inc**

The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote. Mr. Redifer chaired this case. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Amalgamated Building & Properties Inc,** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 28	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$2,500.00	
Total		\$2,500.00
In addition, for violation of Count 1, the Board voted to impose revocation of license 2705-110537 for the violation of the regulation.		

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-01706, Anchor Asphalt Paving Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Neither **Anchor Asphalt Paving Inc, counsel or any other qualified representative** attended the IFF or the Board meeting.

File Number
2008-01706
Anchor Asphalt
Paving Inc

The presiding Board representative **Mr. Kirby/Mr. Modisett** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Anchor Asphalt Paving Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260B 14	September 1, 2001
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Redifer, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Cronin** to impose the following sanctions:

Count 1:	\$300.00	
Count 2:	\$2,000.00	
Count 3:	\$2,500.00	
Count 4:	\$750.00	
Count 5:	\$750.00	
Total		\$6,300.00

In addition, for violation of Count 1, 4 and 5, the Board voted to require **Anchor Asphalt Paving Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 180 days. As to Count 2 and 3, the Board imposed revocation of license 2705-099801.

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Redifer, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2007-04079, Architectural Design & Construction Inc, t/a Friedrichs Michael (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Michael Friedrichs Respondent participated** in the IFF. **Mr. Friedrichs** also attended the Board meeting. He addressed the board.

File Number
2007-04079
Architectural
Design &
Construction Inc,
t/a Friedrichs
Michael

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Cronin** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference and amend the Recommendations. The motion failed with a “yes” vote of 5 and a “no” vote of 2. Members voting “yes” were: **Tomlin, Cronin, Smith, Kirby, Rusher and Sumpter. Members voting No were: Wood and Modisett.**

Hart, Miller, Walton and Williams were absent.

After additional discussion, Cronin made a motion seconded by Tomlin to amend the recommendation and find no violation for counts 3, 5 and 6 while leaving the violations in place as recommended for Counts 1, 2 and 4. The motion passed with

a unanimous vote: Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

The Board found that **Artichitectural Design & Construction, Inc.** violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B 18	
Count 2:	18 VAC 50-22-260 B 18	
Count 4:	18 VAC 50-22-260 B 318	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Mr. Cronin** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$350.00	
Count 4:	\$300.00	
Total		\$1, 050.00

In addition, for violation of Count 1,2 and 4 the Board requires **Architectural Design & Construction Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed closed Counts 3, 5 and 6 with a finding of no violation.

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-02384, Old Dominion Roofing & Siding Inc, (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Old Dominion Roofing & Siding Inc** nor anyone on its behalf attended the IFF or the Board meeting.

File Number
2008-02384
Old Dominion
Roofing & Siding
Inc

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote. Mr. Kirby chaired this case. After discussion, a

motion was made by **Mr. Cronin** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Old Dominion Roofing & Siding Inc** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 2:	18 VAC 50-22-260.B 30	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Cronin** to impose the following sanctions:

Count 1:	\$750.00	
Count 2:	\$350.00	
Count 3:	\$350.00	
Total		\$1,450.00
In addition, for violation of Count 1, 2 and 3 the Board voted to require Old Dominion Roofing & Siding, Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-02799, Old Dominion Roofing & Siding Inc, (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Old Dominion Roofing & Siding Inc** nor anyone on its behalf attended the IFF or the Board meeting.

File Number
2008-02799
Old Dominion
Roofing & Siding
Inc

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote. Mr. Kirby chaired this case. After discussion, a motion was made by **Mr. Cronin** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with

Recommendations. The Board found that **Old Dominion Roofing & Siding Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 2:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 5	September 1, 2001

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$500.00	
Total		\$850.00
In addition, for violation of Count 1, 2 and 3 the Board voted to require Old Dominion Roofing & Siding, Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposed revocation of license 2705-034262 for the violations.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-03102, K & B Construction & Realty LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Kenneth Proffitt** on behalf of **K & B Construction & Realty LLC** attended the Board meeting. He addressed the Board.

File Number
2008-03102
K & B
Construction &
Realty LLC

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Cronin** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **K & B Construction & Realty LLC** violated the following section of its Regulation

and /or Statues: Count 1: § 54.1-1110 of the Code of Virginia. The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Mr. Cronin** and seconded by **Mr. Smith** to impose no sanctions:

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-04623, Bowers and Knapp Inc., (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Bowers and Knapp Inc.** nor anyone on its behalf attended the IFF or the Board meeting.

File Number
2008-04623
Bowers and Knapp
Inc

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Bowers and Knapp Inc.** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to impose the following sanctions:

In addition, for violation of Counts 1 the Board imposed revocation of license number 2701-038725.
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The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 20087-04624, Kyle B Myers Jr., t/a Myers Tree & Landscaping Service (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Kyle B Myers, Jr.** nor anyone on behalf of Myers Tree & Landscaping Service attended the Board meeting. Kyle B Myers, Jr. attended the IFF.

File Number
2008-04624
Kyle B Myers Jr,
t/a Myers Tree &
Landscaping
Service

The presiding Board representatives **Mr. Redifer** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Kyle B Myers Jr.** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$500.00	
Total		\$500.00
In addition, for violation of Counts 1the Board required Kyle B Myers Jr. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-04668, John Henry Oakley (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither John Henry Oakley** nor anyone on behalf of Oakley attended the Board meeting. Mr. Oakley attended the IFF meeting.

File Number
2008-04668
John Henry Oakley

The presiding Board representatives **Mr. Redifer** was not present, did not participate in

the discussion and did not vote. After discussion, a motion was made by **Mr. Cronin** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **John Henry Oakley** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to impose the following sanctions:

Count 1:	\$500.00	
Total		\$500.00
In addition, for violation of Count 1, the Board required John Oakley have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-04669, William Michael Chadwick, t/a Nation Irrigation (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither William Michael Chadwick** nor anyone on behalf of Nation Irrigation attended the IFF or the Board meeting. Chadwick was not represented by counsel or any other qualified representative.

File Number
2008-04669
William Michael
Chadwick, t/a
Nation Irrigation

The presiding Board representatives **Mr. Redifer** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Cronin** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **William Michael Chadwick** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Mr. Cronin** and seconded by **Mr. Sumpter** to impose the following sanctions:

The Board also imposes Revocation of license 2705-064321 for the violation.

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

In the matter of Disciplinary File Number 2008-04727, C S Wienke Construction LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither C S Wienke Construction LLC, nor anyone on behalf of C S Wienke attended the IFF or the Board meeting.**

File Number
2008-04727
C S Wienke
Construction LLC

The presiding Board representative **Mr. Redifer** was not present and did not participate in the discussion and did not vote.

After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Cronin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **C S Wienke Construction LLC** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.

Hart, Miller, Walton and Williams were absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Ms. Tomlin** to impose the sanction of license revocation for license number 2705-107672. The motion passed unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter and Wood.**

Hart, Miller, Walton and Williams were absent.

Board member A. Bruce Williams arrived at the Board meeting at 12:30 p.m.

Board Member
Williams arrives

In the matter of Disciplinary File Number 2008-04734, C S Wienke Construction LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither C S Wienke Construction LLC, nor anyone on behalf of C S Wienke attended the IFF or the Board meeting.**

File Number
2008-04734
C S Wienke
Construction LLC

The presiding Board representative **Mr. Redifer** was not present and did not participate in the discussion and did not vote.

After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Cronin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **C S Wienke Construction LLC** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter, Williams and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Cronin** to impose the sanction of license revocation for license number 2705-107672. The motion passed unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Sumpter, Williams and Wood.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2008-02823 Board v. CMH Homes Inc, Oakwood Homes, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-02823
CMH Homes Inc,
Oakwood Homes

CMH Homes Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$800.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,350.00
In addition, for violation of the above counts, CMH Homes Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Sumpter** seconded by **Mr. Williams** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2008-04411, Board v. CMH Homes Inc, t/a Clayton Homes, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-04411
CMH Homes Inc,
t/a Clayton Homes

CMH Homes Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$700.00
Count 2:	18 VAC 50-22-260 B 6	\$800.00
Board Costs		\$150.00
Total		\$1,650.00
In addition, for violation of the above counts, CMH Homes Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Cronin** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-04003, Clem Enterprises LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding

File Number
2007-04003
Clem Enterprises

Conference and the recommendation. **G Chris Brown, attorney** on behalf of **Clem Enterprises LLC** attended the IFF. Mark A Clem for Clem Enterprises LLC or counsel or any other qualified representative on its behalf did not attend the Board meeting. The presiding Board representatives **Mr. Kinser and Ms. Tomlin** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Cronin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Clem Enterprises LLC** violated the following sections of its Regulations:

Count 1:	18 VAC 50-22-260 B 9	Effective February 1, 2006
Count 2:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 27	Effective September 1, 2001
Count 4:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-33-360 B 17	
Count 6:	18 VAC 50-22-260 B 15	
Count 7:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. **Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to impose the following sanction:

Count 1:	18 VAC 50-22-260 B 9	\$250.00
Count 2:	18 VAC 50-22-260 B 9	\$250.00
Count 3:	18 VAC 50-22-260 B 27	\$1,000.00
Count 4:	18 VAC 50-22-260 B 27	\$1,000.00
Count 5:	18 VAC 50-33-360 B 17	\$1,500.00
Count 6:	18 VAC 50-22-260 B 15	\$500.00
Total		\$4,500.00
In addition, for violation of count 1, 2, 3, 4, 6 and 7 the Board voted to require Clem Enterprises LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension. Further the Board imposed the sanction of license revocation (2705-091646) for violation of Count 5.		

The motion passed by unanimous vote. **Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-03401, Donald C Page, t/a Tech/wood (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Don Page for Tech/wood** attended the IFF. Tech/wood, Don Page in person or counsel or any other qualified representative did not attend the Board meeting.

File Number
2007-03401
Donald C Page, t/a
Tech/wood

The presiding Board representative **Ms. Tomlin** was not present, did not participate in the discussion and did not vote. A handout was given to the Board for consideration. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Donald C Page, t/a Tech/wood** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 31	Effective September 1, 2001

The motion passed by unanimous vote. Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to impose the following sanctions:

Count 1:	\$250.00	
Count 2:	\$500.00	
Total		\$750.00
In addition, for violation of count 1 and 2 the Board voted to require Donald C Page have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.		

The motion was approved unanimously. **Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-044546 Patrick Smith t/a G & P Asphalt (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Dulcida Estrada**, on behalf of **Patrick Smith t/a G & P Asphalt** attended the IFF and the Board meeting.

File Number
2007-04546
Patrick Smith t/a G
& P Asphalt

The presiding Board representative **Ms. Tomlin** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Patrick Smith** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 6	
Count 2:	18 VAC 50-22-260 B 27	

The motion passed by unanimous vote. Members voting yes were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Modisett** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$1,000.00	
Count 2:	\$500.00	
Total		\$1,500.00
In addition, for the violation of Count 1, the Board voted to require Freedom Builders Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order.		

The motion was approved unanimously. **Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-04706, Southern Cross Builders Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Southern Cross Builders Inc**, nor anyone on its behalf attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-04706
Southern Cross
Builders Inc

The presiding Board representative **Ms. Tomlin** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Southern Cross Builders Inc** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	
Count 2:	18 VAC 50-22-260 B 24	

The motion passed by unanimous vote. Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to impose the following sanctions:

Count 1:	\$1,500.00	
Count 2:	\$2,000.00	
Total		\$3,500.00
In addition, for the violation of Count 1 and 2 the Board voted to impose revocation of license 2705-011117.		

The motion was approved unanimously. Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-04718, Get Smart Home Improvement Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Get Smart Home Improvement Inc did not** attend the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-04718
Get Smart Home
Improvement Inc

The presiding Board representative **Ms. Tomlin** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Get Smart Home Improvement Inc** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Williams** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$1,000.00	
Total		\$1,000.00
. The Board also imposed revocation of license 2705-106934 for the violation.		

The motion was approved by majority vote. **Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-04726, Eric Penwell Rhinehart, t/a Right Cut Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Eric Rhinehart did not appear at** the Board meeting on behalf of **Right Cut Construction** in person or by counsel or by any other qualified representative.

File Number
2008-04726
Eric Penwell
Rhinehart, t/a
Right Cut
Construction

The presiding Board representative **Ms. Tomlin** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Eric Penwell Rhinehart** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: Miller, Redifer, Tomlin, Cronin, Smith, Kirby, Rusher, Walton and Wood.

Hart was absent. Sumpter and Williams did not vote. Modisett did not participate.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$1,000.00	
Total		\$1,000.00
The Board voted to impose revocation of license 2705-107203 for the violation.		

The motion was approved unanimously. **Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-04820, Manuel L Cofey Sr, t/a Manuel L Cofey Sr. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Cofey nor anyone** on behalf of Manuel L Cofey Sr. attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-04820
Manuel L Cofey Sr,
t/a Manuel L Cofey
Sr.

The presiding Board representative **Ms. Tomlin** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Manuel L Cofey Sr** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$1,000.00	
Total		\$1,000.00
The Board imposed revocation of license 2705-068579.		

The motion was approved unanimously. **Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2009-00001, Precision Hardwood Flooring Inc, (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Precision Hardwood Flooring Inc did not** attend the IFF or the Board meeting. Counsel or any other qualified representative on behalf of Precision Hardwood Flooring Inc did not appear.

File Number
2009-00001
Precision
Hardwood
Flooring Inc

The presiding Board representative **Ms. Tomlin** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Precision Hardwood Flooring Inc** violated the following sections of its Regulations:

Effective: September 1, 2001		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: Miller, Redifer, Tomlin, Cronin, Smith, Kirby, Rusher, Walton and Wood.

Hart was absent. Sumpter and Williams did not vote. Modisett did not participate.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$1,000.00	
Total		\$1,000.00
The Board also imposed revocation of license 2705-104575.		

The motion was approved unanimously. **Members voting “yes” were: Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-03587, Terry J McEnaney, t/ a Just Right Plumbing Heating A/c Electrical & Remodeling Co (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Terry J McEnaney, counsel or any other qualified representative did not** attend the IFF or the Board meeting on behalf of **Just Right Plumbing Heating A/c Electrical & Remodeling Co.**

File Number
2007-03587
Terry J McEnaney,
t/a Just Right
Plumbing Heating
A/c Electrical &
Remodeling Co

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Terry J McEnaney** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$400.00	
Total		\$400.00
In addition, for violation of count 1 the Board voted to require Terry J McEnaney have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-04618, Linda A Abendroth, t/a JLA Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Linda A Abendroth, nor anyone on behalf of JLA Construction** attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2007-04618
Linda A
Abendroth, t/a JLA
Construction

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Linda A Abendroth** violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 15	Effective September 1, 2001
Count 3:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: Miller, Redifer, Tomlin, Cronin, Smith, Kirby, Rusher, Walton and Wood.

Hart was absent. Sumpter and Williams did not vote. Modisett did not participate.

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$100.00	
Count 2:	\$850.00	
Count 3:	\$1,350.00	
Total		\$2,300.00
In addition, for violation of Count 1, the Board voted to require Linda A Abendroth have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days. The Board imposed revocation of license 2705-066510.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-04628, Gregory Michael Purvis (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Gregory Michael Purvis,** nor anyone on behalf of Mr. Purvis attended the IFF in person or by counsel or by any other qualified representative.

File Number
2007-04628
Gregory Michael
Purvis

The presiding Board representative **Ms. Wall/Ms. Wood** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Gregory Michael Purvis** violated the following sections of its Regulations:

Effective	February 1,2006	
Count 1:	18 VAC 50-22-260 B 9	

Count 2:	18 VAC 50-22-230 A	Effective September 1, 2001
Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-33-360 B 27	
Count 5:	18 VAC 50-22-260 B 6	
Count 6:	18 VAC 50-22-260 B 14	
Count 7:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$200.00	
Count 2:	\$400.00	
Count 3:	\$650.00	
Count 4:	\$650.00	
Count 5:	\$800.00	
Count 6:	\$1,800.00	
Count 7:	\$850.00	
Total		\$5,350.00
In addition, for violation of count 1 the Board voted to require Gregory Michael Purvis have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension. Further the Board imposed the sanction of license revocation (2705-101134) for violation of Count 2, 3, 4, 5, 6 and 7.		

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-04866, Charter Homes (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Charles Fasig and Attorney Mark R. Colombell attended (Respondent) the IFF.** Attorney **Mark R Colombell** attended the Board meeting on behalf of **Charter Homes**. He addressed the Board.

File Number
2007-04866
Charter Homes

The Board members were given a handout for consideration. The board reviewed the

record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

The presiding Board representatives **Mr. Kinser and Ms. Wall** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to impose the following sanctions.

Count 2:	18 VAC 50-22-260 B 15	Effective September 1, 2001

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Cronin** to impose the following sanctions:

Count 2:	\$1,700.00	
Total		\$1,700.00
In addition, for violation of count 2, the Board voted to require Charter Homes have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension. As to Count 1, the Board closes this aspect of the file with a finding of no violation.		

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

The Board took a 15 minute break to get their lunch and then resumed Board business.

Break for Lunch

In the matter of Disciplinary File Number 2007-00114, David Willoughby, t/a D Willoughby Roofing & Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **D Willoughby Roofing & Construction** did not attend the IFF or the Board meeting in person or by counsel or by any other qualified representative.

**File Number
2008-00114
David Willoughby,
t/a D Willoughby
Roofing &
Construction**

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary

of the Informal Fact-Finding Conference with Recommendations. The Board found that **D Willoughby Roofing & Construction** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$1,900.00	
Total		\$2,250.00
In addition, for violation of Count 1, the Board requires David Willoughby have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.		
The Board imposed revocation of license number 2705-023906 for the violation of Counts 2.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-01051, Jose D Zapata t/a AB Concrete (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Jose D Zapata nor anyone on behalf of ZB Concrete** attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-01051
Jose D Zapata, t/a
ZB Concrete

The presiding Board representatives **Ms. Wall and Ms. Wood** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Jose D Zapata** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 30	September 1, 2001
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 28	
Count 5:	18 VAC 50-22-260 B 13	
Count 6:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$600.00	
Count 2:	\$1,250.00	
Count 3:	\$800.00	
Count 4:	\$1,900.00	
Count 5:	\$1,350.00	
Count 6:	\$850.00	
Total		\$6,750.00
The Board imposed revocation of license number 2705-102499 for the violation of Counts 2, 3, 4, 5 and 6. In addition, for violation of Count 1, the Board voted to require Jose D Zapata have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-02116, Todd Duval Davis, t/a T D Davis And Sons (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Davis,** nor anyone on behalf of **T D Davis And Sons** attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-02116
Todd Duval Davis,
t/a T D Davis And
Sons

The presiding Board representatives **Ms. Wall and Ms. Wood** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made

by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Davis** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230 B	
Count 2:	18 VAC 50-22-260 B 9	Effective February 1, 2006
Count 3:	18 VAC 50-22-260 B 15	
Count 4:	18 AC 50-22-260 B 16	
Count 5:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to impose the following sanctions:

Count 1:	\$850.00	
Count 2:	\$300.00	
Count 3:	\$800.00	
Count 4:	\$1,950.00	
Count 5:	\$1,900.00	
Total		\$5,800.00

In addition, for violation of count 1 and 2, the Board voted to require Todd Duval Davis have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The Board imposed revocation of license number 2705-050395 for the violation of Counts 3, 4 and 5.

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-02383, Michael Richard Roberts, t/a Cherokee Builders (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Roberts, t/a Cherokee Builders,** nor anyone on behalf of **Michael Richard Roberts** attended the IFF or the Board meeting in person or by counsel or by any other qualified

File Number
2007-02383
Michael Richard
Roberts/a
Cherokee Builders

representative.

The presiding Board representatives **Ms. Wall and Mr. Kirby** were not present, did not participate in the discussion and did not vote. Mr. Redifer chaired this case. After discussion, a motion was made by **Mr. Smith** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Michael Richard Roberts** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 31	
Count 2:	18 VAC 50-22-260 B 15	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$400.00	
Count 2:	\$1,700.00	
Total		\$2,100.00
The Board imposed revocation of license number 2705-062420 for the violation of Counts 2. In addition, for violation of count 1 the Board voted to require Michael Richard Roberts have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-02572, Prestige Pools Of Va Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Prestige Pools Of Va Inc** did not attend the IFF or the Board meeting. They were not represented in person or by counsel or by any other qualified representative.

File Number
2008-02572
Prestige Pools Of
Va Inc

The presiding Board representatives **Mr. Smith and Ms. Wall** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Prestige Pools Of VA Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 16	Effective September 1, 2001
Count 3:	18 VAC 50-22-260 B 28	
Count 4:	18 VAC 50-22-260 B 28	
Count 5:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$ 500.00	
Count 2:	\$1,950.00	
Count 3:	\$1,900.00	
Count 4:	\$1,900.00	
Count 5:	\$1,900.00	
Total		\$8,150.00
The Board imposed revocation of license number 2705-113209 for the violation of Count 2, 3, 4 and 5. In addition, for violation of count 1, the Board voted to require Prestige Pools Of Va Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.		

The motion was approved unanimously. Members voting “yes” were: Tomlin, Cronin, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-03088, Ana Hinestroza, t/a A & G General Contractors (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Hinestroza, nor**

File Number

2008-03088

**Ana Hinestroza, t/a
A & G General**

anyone on behalf of **A & G General Contractors** did not attend the IFF or the Board meeting in person or by counsel or by any other qualified representative.

Contractors

The presiding Board representative **Mr. Miller and Ms. Wall** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Ana Hinestroza** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-230 A	September 1, 2001
Count 3:	18 VAC 50-22-230 B	
Count 4:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-22-260 B 15	
Count 6:	18 BAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$400.00	
Count 2:	\$350.00	
Count 3:	\$850.00	
Count 4:	\$650.00	
Count 5:	\$1,700.00	
Count 6:	\$1,900.00	
Total		\$5,850.00
In addition, for violation of Counts 1 and 2 the Board requires Ana Hinestroza have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.		
The Board imposed revocation of license number 2705-115460 for the violation of Count 3, 4 and 5 and 6.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-03831, Raymond J Janczyk (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Raymond Janczyk,** nor anyone on his behalf attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-03831
Raymond J
Janczyk

The presiding Board representatives **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Raymond J Janczyk** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$1,3500.00	
Total		\$1,350.00
. The Board imposed revocation of license number 2705-111380 for the violation.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-01206, Homestead Remodeling Inc, t/a Homestead Remodeling Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Homestead Remodeling Inc** nor anyone on behalf of **Homestead Remodeling Inc** attended the IFF or the Board meeting in person or by counsel or by any other qualified representative. **Sue Albrecht, Complainant** attended the IFF and the Board meeting. She addressed the Board.

File Number
2008-04003
Homestead
Remodeling Inc, t/a
Homestead
Remodeling Inc

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Cronin** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Homestead Remodeling Inc** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 28	
Count 2:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Cronin** to impose the following sanctions:

Count 1:	\$1,900.00	
Count 2:	\$850.00	
Total		\$2,750.00
The Board also imposes revocation of license 2705-11118 for violations.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2007-01936, Board v. Phoenix Housing Group Inc, the Board reviewed the Consent Order. **Gail Brown** was present and addressed the Board.

File Number
2007-05091
Phoenix Housing
Group Inc

Phoenix Housing Group Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$750.00
Board Costs		\$150.00
Total		\$900.00
As to Count 1, Phoenix Housing Group Inc agrees to have a		

member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Cronin** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent. Mr. Redifer was consulted on this case and he did not participate and did not vote.

In the matter of Disciplinary File Number 2008-04825, Kevin Joel Burcham, t/a KB Builders (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Kevin Joel Burcham** nor counsel or any qualified individual on behalf of **KB Builders** attended the IFF or the Board meeting.

File Number
2008-04825
Kevin Joel
Burcham, t/a KB
Builders

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Tomlin** and seconded by **Mr. Cronin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Kevin Joel Burcham** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Ms. Tomlin** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$1,350.00	
Total		\$1,350.00
The Board imposed revocation of license number 2705-104996 for the violation.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-04842, Somerset Homes, t/a Somerset Development Company (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Somerset Homes** nor anyone on behalf of **Somerset Homes** attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-04842
Somerset Homes,
t/a Somerset
Development
Company

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Somerset Homes** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$1,350.00	
Total		\$1,350.00
The Board imposed revocation of license number 2705-041696 for the violation.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-04846, Central Virginia Construction Services Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Central Virginia Construction Services Inc.** nor anyone on its behalf attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-04846
Central Virginia
Construction
Services Inc

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference and amend the Recommendations. The Board found that **Central Virginia Construction Services Inc** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$1,350.00	
Total		\$1,350.00
The Board imposed revocation of license 2705-116644 for violation of the Board’s regulations.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2000-00266, Prestige Pools Of Va Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Prestige Pools** nor anyone on behalf of **Prestige Pools Of Va Inc** attended the IFF or the Board meeting in person by counsel or by any other qualified representative.

File Number
2009-00266
Prestige Pools Of
Va Inc

The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Prestige Pools Of Va Inc** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to impose the following sanctions:

Count 1:	\$1,350.00	
Total		\$1,350.00
The Board imposed revocation of license number 2705-113209 for the violation.		

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2008-00732, Cavalier Construction of Northern Virginia LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Northern Virginia LLC** nor anyone on behalf of **Northern Virginia LLC** attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2008-00732
Cavalier
Construction Of
Northern Virginia
LLC

The presiding Board representatives **Ms. Wall** and **Mr. Cronin** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Cavalier Construction Of Northern Virginia LLC** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 10	September 1, 2001
Count 3:	18 VAC 50-22-260 B 31	
Count 4:	18 VAC 50-22-260 B 15	
Count 5:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	\$300.00	
Count 2:	\$300.00	
Count 3:	\$400.00	
Count 4:	\$1,700.00	
Count 5:	\$850.00	
Total		\$3,550.00

In addition, for violation of Count 1, 2 and 3 the Board required **Cavalier Construction Of Northern Virginia LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days.

The Board imposed revocation of license number 2705-097665 for the violation of Counts 4 and 5.

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Disciplinary File Number 2007-05005, Mike Wade Builder Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Mike Wade Builder Inc** nor anyone on behalf of **Mike Wade Builder Inc** attended the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2007-05005
Mike Wade
Builder Inc

The presiding Board representatives **Ms. Wood/Mr. Kirby** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Ms. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Mike Wade Builder Inc.** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	

Count 2:	18 VAC 50-22-260 B 15	September 1, 2001
Count 4:	18 VAC 50-22-260 B 31	

The motion passed by unanimous vote. Members voting “yes” were: Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Williams and Sumpter.

Hart, Miller and Walton were absent.

After discussion a motion was made by **Ms. Tomlin** and seconded by **Mr. Modisett** to impose the following sanctions:

Count 1:	\$100.00	
Count 2:	\$500.00	
Count 4:	\$500.00	
Total		\$1,100.00

The Board imposed revocation of license number 2705-064876 for the violation. In addition, for violation of count 1, 2 and 4 the Board voted to require **Mike Wade Builder Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion was approved unanimously. **Members voting “yes” were: Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2007-02250, Board v. Thomas Builders Of Virginia Inc, the Board reviewed the Consent Order. **Thomas Builders Of Virginia Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

**File Number
2007-02250
Thomas Builders
Of Virginia Inc**

Count 1:	18 VAC 50-22-260 B 22	\$0.00
Board costs		\$150.00
Total		\$150.00

In addition, for violation of Count 1, **Thomas Builders Of Virginia Inc** agrees to comply with the rules and regulations of the Board for Contractors; Not be involved in any lawsuits that arises from conduct related to its licensure with the Board/Department; Not be convicted of any local, state, or federal laws or regulations.

Further, **Thomas Builders Of Virginia Inc** agrees to have a member of Responsible Management successfully complete a

Board-approved remedial education class.
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Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2007-02572, Board v. David # & Vicki S Wampler, t/a Wampler Construction, the Board reviewed the Consent Order. **Wampler Construction** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

File Number
2007-02572
David E & Vicki S
Wampler, t/a
Wampler
Construction

Count 1:	18 VAC 50-22-260 B 31	\$200.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$750.00

Further, Wampler Construction agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams, Sumpter and Wood.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2007-02755, Board v. Levi Co, the Board reviewed the Consent Order.

File Number
2007-02755
Levi Co

Levi Co, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$100.00
Count 2:	18 VAC 50-22-230 A	\$100.00
Count 3:	18 VAC 50-22-260 B 29	\$200.00
Board Costs		\$150.00
Total		\$550.00

In addition, for violation of Count1, Levi Co agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days.
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Upon a motion by **Mr. Cronin** seconded by **Ms. Tomlin** the board ratified the consent order with a unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

Wood was not present and did not vote.

In the matter of Consent Order File Number 2007-02880, Board v. Grady T Jones II, t/a Real Investors Home Improvement Co, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2007-02880
Grady T Jones II,
t/a Real Investors
Home
Improvement Co**

Real Investors Home Improvement Co, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$100.00
Count 2:	18 VAC 50-22-260. B 6	\$400.00
Count 3:	18 VAC 50-22-260 B 14	\$0.00
Count 4:	18 VAC 50-22-260.B 16	\$400.00
Board Costs		\$150.00
Total		\$1,050.00
In addition, for violation of the above counts, Grady T Jones, II agrees to revocation of this license 2705-077509. Grady T Jones II agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. It is noted that, according to the records of the Board for Contractors, Grady T Jones II returned his license to the Board on March 25, 2008.		

Upon a motion by **Mr. Cronin** seconded by **Mr. Modisett** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

Wood did not vote and was not present.

In the matter of Consent Order File Number 2007-03632, Board v. Oscar W Martin, t/a Komplete Mobile Home Movers, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2007-03632
Oscar W Martin,
t/a Komplete
Mobile Home
Movers**

Oscar W Martin, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Board Costs		\$150.00

Total	\$500.00
In addition, for violation of the above counts, Oscar W Martin agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.	

Upon a motion by **Mr. Williams** seconded by **Mr. Cronin** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

Wood did not vote and was not present.

In the matter of Consent Order File Number 2007-03658, Board v. William R Nicely, t/a Nicely's Contractors, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2007-03658
William R Nicely,
t/a Nicely's
Contractors**

William R Nicely, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$1,000.00
Count 2:	18 VAC 50-22-230 A	\$1,000.00
Board Costs		\$150.00
Total		\$2,150.00
In addition, for violation of the above counts, William R Nicely agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. In addition for violation of Counts 1-2, William R Nicely agrees to a two (2) year probation of his license as of the effective date of this order. During this two (2) year probation, William R Nicely: Comply with the rules and regulations of the Board for Contractors; Not to be involved in any lawsuit that arises from conduct related to his licensure with the Board/Department; Not be in violation of any local, state, or federal laws or regulations; and Provide to the Board, on a quarterly basis, a written statement and supporting documentation that he is in compliance with terms of the order.		

Upon a motion by **Mr. Cronin** seconded by **Mr. Modisett** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

Wood was not present and did not vote.

In the matter of Consent Order File Number 2007-04365, Board v. Petal Management Inc, Petal Construction Services, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2007-04365
Petal Management
Inc, t/a Petal
Construction
Services**

As Board representatives, **Tomlin and Smith** did not participate in the decision of this case.

Petal Construction Services , acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 15	\$1,000.00
Count 2:	18 VAC 50-22-260 B 15	\$1,800.00
Count 3:	18 VAC 50-22-260 B 31	\$400.00
Count 4:	18 VAC 50-22-260 B 31	\$400.00
Count 5:	18 VAC 50-22-260 B 31	\$400.00
Count 6:	18 VAC 50-22-260 B 31	\$400.00
Board Costs	0	\$150.00
Total		\$4,550.00

In addition, for violation of the above counts, **Petal Management Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Mr. Cronin** seconded by **Mr. Modisett** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Cronin, Wood, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

Tomlin and Smith were not present and did not vote.

In the matter of Consent Order File Number 2007-04605, Board V. Ervin Construction South LLC, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2007-04605Ervin
Construction South
LLC**

As Board representatives at the Informal Fact Finding Conference, **Kirby and Kinser** were not present and did not participate in the decision process of this case.

Ervin Construction South LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

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Count 1:	18 VAC 50-22-260 B 8	\$200.00
Count 2:	18 VAC 50-22-260 B 14	\$500.00
Count 3:	18 VAC 50-22-260 B 16	\$2,500.00
Board Costs		\$500.00
Total		\$3,700.00
<p>In addition, the Board shall waive imposition of the \$2,500.00 monetary penalty and license revocation for Count 3 provided Ervin Construction South LLC reimburses \$20,520.00 to Bamberger and provides the Board with proof of the payment within ninety days of order. If Ervin Construction South LLC fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.</p> <p>Further Ervin Construction South LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.</p>		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with a unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

Kirby and Kinser were not present and did not vote.

In the matter of Consent Order File Number 2007-04698, Board v. Colonial Bay Inc, t/a Colonial Bay Inc., the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2007-04698
Colonial Bay Inc,
t/a Colonial Bay
Inc

Colonial Bay Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$00.00
Count 2:	18 VAC 50-22-260.B 11	\$00.00
Board Costs		\$150.00
Total		\$150.00
<p>In addition, for violation of the above counts, Colonial Bay Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.</p>		

Upon a motion by **Mr. Cronin** seconded by **Mr. Modisett** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin,**

Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.

Hart, Miller and Walton were absent.

Wood was not present and did not vote.

In the matter of Consent Order File Number 2007-04710, Board v. W C Lowery Inc, t/a W C Lowery Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2007-04710
W C Lowery Inc,
t/a W C Lowery
Inc**

W C Lowery Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$500.00
Board Costs		\$150.00
Total		\$650.00
In addition, for violation of the above counts, W C Lowery agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Cronin** seconded by **Mr. Modisett** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Wood, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

Kirby was not present and did not vote.

In the matter of Consent Order File Number 2007-04759, Board v. Frank Lewis Manning, t/a Frank Lewis Manning, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2007-04759
Frank Lewis
Manning, t/a Frank
Lewis Manning**

Frank Lewis Manning, t/a Frank Lewis Manning, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 22	\$0.00
Board Costs		\$150.00
Total		\$150.00
In addition, for violation of the above counts, Frank Lewis		

Manning agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Mr. Cronin** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2007-05004, Board v. Darrell L Ledford, t/a Ledfords Construction, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2007-05004
Darrell L Ledford,
t/a Ledfords
Construction

Darrell L Ledford, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$100.00
Count 2:	18 VAC 50-22-260 B 6	\$400.00
Count 3:	18 VAC 50-22-260 B 6	\$200.00
Board Costs		\$150.00
Total		\$850.00

In addition, for violation of the above counts, **Darrell L Ledford** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2008-00277, Board v. Warren C White, t/a White’s General Contracting the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-00277
Warren C White,
t/a White’s General
Contracting

Warren C White, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

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Count 1:	18 VAC 50-22-260 B 9	\$0.00
Count 2:	18 VAC 50-22-260 B 18	\$250.00
Count 3:	18 VAC 50-22-260 B 31	\$150.00
Board Costs		\$150.00
Total		\$550.00
In addition, for violation of the above counts, Warren C White agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. It is noted that Warren White provided a revised contract which is in compliance with Board Regulation 18 VAC 50-22-260 B 9.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-00368, Frank Allen Whitaker, t/a Quality Paving & Sealing, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-00368
Frank Allen
Whitaker t/a
Quality Paving &
Sealing

Frank Allen Whitaker, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Count 3:	18 VAC 50-22-260 B 30	\$1,250.00
Board Costs		\$150.00
Total		\$2,150.00
In addition, for violation of the above counts, Frank Allen Whitaker agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Cronin, Smith, Miller, Kirby, Modisett, Redifer, Rusher, Tomlin, Wood and Walton**

Hart was absent. Sumpter and Williams did not vote.

In the matter of Consent Order File Number 2008-0370, Board v. G & C General Contractor Inc, t/a O’Kane Home Improvements the Board reviewed the Consent

File Number
2008-00370

Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

G & C General Contractors Inc, t/a O’Kane Home Improvements, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

**G & C General
Contractors Inc, t/a
O’Kane Home
Improvements**

Count 1:	18 VAC 50-22-260 B 29 (2 violations @ \$600. each	\$1,200.00
Board Costs		\$150.00
Total		\$2,600.00
In addition, for violation of the above counts, G & C General Contractors Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2008-00521, Board v. Miracle Builders Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-00521
Miracle Builders
Inc**

As a Board representative, **Mr. Redifer** did not participate and did not vote.

Miracle Builders Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$750.00
Count 2:	18 VAC 50-22-260 B 27	\$500.00
Count 3:	18 VAC 50-22-260 B 31 (2 @ \$500. each)	\$1,000.00
Count 4:	18 VAC 50-22-260 B 27	\$1,000.00
Count 5:	18 VAC 50-22-260 B 15	\$1,000.00
Count 6:	18 VAC 50-22-260 B 16	\$1,000.00
Count 7:	18 VAC 50-22-260 B 12	\$750.00
Board Costs		\$150.00
Total		\$6,150.00

In addition, for violation of the above counts 4, 5, 6 and 7, **Miracle Builders Inc** agrees to revocation of his license 2705-090838. Further for violation of Counts 1, 2 and 3, Miracle Builders Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

Redifer did not participate in the vote.

In the matter of Consent Order File Number 2008-00587, Board v. Utility Service Express LLC, t/a Utility Service Express LLC the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-00587
Utility Service
Express LLC, t/a
Utility Service
Express LLC

As a Board representative, **Mr. Kinser** was not present and did not vote.

Utility Service Express LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 20	\$0.00
Count 2:	18 VAC 50-22-260 B 2	\$500.00
Count 3:	18 VAC 50-22-260 B 2	\$1,000.00
Board Costs		\$150.00
Total		\$1,650.00

In addition, for violation of count 1, **Utility Service Express LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2008-00747, Board v. Richard J Whetzel, t/a Whetzels Paving and Seal Coating, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the

File Number
2008-00747
Richard J Whetzel,

facts regarding the regulatory and/or statutory issues in this matter.

**t/a Whetzels Paving
and Seal Coating**

Richard J Whetzel, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$350.00
Count 2:	18 VAC 50-22-260 B 9	\$350.00
Count 3:	18 VAC 50-22-260 B 30	\$1,000.00
Board Costs		\$150.00
Total		\$1,850.00
In addition, for violation of the above counts, Richard J Whetzel agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2007-01050, Board v. Eugenio Pecina Sr, t/a Pecina & Sons Builders, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-01050
Eugenio Pecina Sr,
t/a Pecina & Sons
Builders**

As a Board representative **Mr. Walton** was not present and did not vote.

Eugenio Pecina Sr, t/a Pecina & Sons Builders, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 6	\$350.00
Count 3:	18 VAC 50-22-260 B 6	\$500.00
Count 4:	18 VAC 50-22-260 B 27	\$500.00
Board Costs		\$150.00
Total		\$1,850.00
In addition, for violation of the above counts, Eugenio Pecina Sr agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2008-01131, Board v. Joseph Timothy Duffy, t/a Carpentry Connection, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-01131
Joseph Timothy
Duffy, t/a
Carpentry
Connection**

As a Board representative, **Mr. Redifer** was not present and did not vote.

Joseph Timothy Duffy, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$350.00
Count 2:	18 VAC 50-22-230 A	\$350.00
Count 3:	18 VAC 50-22-260 B 15	\$1,500.00
Count 4:	18 VAC 50-22-260 B 31	\$500.00
Board Costs		\$150.00
Total		\$2,850.00
In addition, for violation of the above counts, Joseph Timothy Duffy agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-01250, Hugh Jeffrey Neal, t/a Neal Electric, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-01250
Hugh Jeffrey Neal,
t/a Neal Electric**

Hugh Jeffrey Neal, t/a Neal Electric, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$300.00
Board Costs		\$150.00
Total		\$450.00
Further, Hugh Jeffrey Neal agrees to have a member of		

Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-01151 Dream Construction Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-01151
Dream
Construction Inc

Dream Construction Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$500.00
Count 2:	18 VAC 50-22-260 B 28	\$2,500.00
Count 3:	18 VAC 22-260 B 12	\$1,000.00
Count 4:	18 VAC 50-22-230 B	\$500.00
Board Costs		\$150.00
Total		\$450.00
In addition, for violation of Count 1, Dram Construction Inc agrees to revocation of its license 2705-111971.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-01682 Cornerstone Custom Homes & Renovations LLC, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-01682
Cornerstone
Custom Homes &
Renovations LLC

As a Board representative, **Ms. Wood** was not present and did not vote.

Cornerstone Custom Homes & Renovations LLC., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 15	\$0.00
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Count 2:	18 VAC 50-22-260 B 16	\$0.00
Board Costs		\$150.00
Total		\$150.00
Also, Cornerstone Custom Homes & Renovations LLC agrees to revocation of its license 2705-054842.		

Upon a motion by **Mr. Rusher** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-01953 William M Underwood, t/a Mike’s Roofing & Remodeling, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-01953
William M
Underwood, t/a
Mike’s Roofing &
Remodeling

William M Underwood, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$200.00
Board Costs		\$150.00
Total		\$350.00
Further, William R. Underwood agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-02181 Independent Replacement Services Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-02181
Independent
Replacement
Services Inc

Independent Replacement Services Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$500.00
Count 2:	18 VAC 50-22 260 B 29	\$400.00
Board Costs		\$150.00

Total	\$1,050.00
Further, Independent Replacement Services Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.	

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-02196, David Mike Roberts, t/a Make An Impression, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-02196
David Mike
Roberts, t/a Make
An Impression

As a Board representative, **Mr. Hart** was not present and did not vote.

David Mike Roberts, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$500.00
Count 2:	18 VAC 50-22-260 B 29	\$750.00
Board Costs		\$150.00
Total		\$1,400.00
Further, for violation of Counts 1-2, David Mike Roberts agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-02250 Michael Carr, t/a Carmans Salon Interiors, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-02250
Michael Carr, t/a
Carmans Salon
Interiors

As a Board representative, **Ms. Wood** was not present and did not vote.

Michael Carr, acknowledges an understanding of the charges and hereby admits to the

violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$0.00
Count 2:	18 VAC 50-22-260 B 14	\$1,000.00
Count 3:	18 VAC 50-22-260 B 16	\$1,000.00
Board Costs		\$150.00
Total		\$2,150.00
Further Michael Carr agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Rusher** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-02423 Lyons Development Corp, t/a Lyons Development Corp, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-02423
Lyons
Development Corp,
t/a Lyons
Development Corp

Lyons Development Corp acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$500.00
Count 2:	18 VAC 50-22-260 B 27	\$300.00
Board Costs		\$150.00
Total		\$950.00
In addition, the Board shall waive imposition of the \$300.00 monetary penalty for Count 2 provided C G Ballard Jr agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-02426 Board v. C G Ballard Jr. t/a Universal Window & Siding Co, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-02426
C G Ballard Jr. t/a
Universal Window

& Siding Co

As a Board representative, **Mr. Kirby** was not present and did not vote.

C G Ballard Jr. t/a Universal Window & Siding Co, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$500.00
Count 2:	18 VAC 50-22-260 B 127	\$300.00
Board Costs		\$150.00
Total		\$950.00
In addition, the Board shall waive imposition of the \$300.00 monetary penalty for Count 2 provided C G Ballard JR has a member of Responsible Management successfully complete a Board-approved remedial education course within ninety 90 days of the effective date of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-02446 Tony G Fitzgerald, t/a Fitzgeralds Handyman Contracting, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-02446
Tony G Fitzgerald,
t/a Fitzgeralds
Handyman
Contracting**

As a Board representative, **Ms. Wood** was not present and did not vote.

Tony G Fitzgerald, t/a Fitzgeralds Handyman Contracting, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$1,000.00
Count 2:	18 VAC 50-22-260 B 15	\$1,700.00
Count 3:	18 VAC 50-22-260 B 28	\$1,500.00
Board Costs		\$150.00
Total		\$4,350.00
In addition, for violation of the Counts 2 and 3, Tony G Fitzgerald agrees to revocation of his license 2705-115384. In addition, the Board shall waive imposition of the \$1,500.00 monetary penalty and license revocation for Count 3 provided Tony G Fitzgerald satisfies the judgment and provides the Board with proof of the satisfaction within ninety 90 days of the effective date of the order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-02546 Michael G Reagan Sr, t/a M Reagan & Sons, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-02546
Michael G Reagan
Sr, t/a M Reagan &
Sons

Michael G Reagan Sr, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	35\$0.00
Board Costs		\$150.00
Total		\$500.00
In addition, Michael G Reagan Sr agrees to have a member of Responsible Management successfully complete a Board approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-02713 Choice General Contracting Inc., the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-02713
Choice General
Contracting Inc

As a Board representative, **Ms. Wood** was not present and did not vote.

Choice General Contracting, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 22	\$00.00
Count 2:	18 VAC 50-22-260 B 23	\$1,500.00
Board Costs		\$150.00
Total		\$1,650.00
Further Choice General Contracting Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Tomlin** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03089, Carl E Coleman Sr, t/a Coleman Home Improvements, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-03089
Carl E Coleman Sr,
t/a Coleman Home
Improvements**

Carl E Coleman Sr., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$250.00
Board Costs		\$150.00
Total		\$400.00
Further, for violation Carl E Coleman Sr agrees to have a member of Responsible Management successfully complete a Board approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03178 Laurie St Patrick Scott, t/a Scott Contracting, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-03178
Laurie St Patrick
Scott, t/a Scott
Contracting**

Laurie St Patrick Scott, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$250.00
Count 2:	18 VAC 50-22-260 B 15	\$500.00
Count 3:	18 VAC 50-22-260 B 25	\$500.00
Count 4:	18 VAC 50-22-260 B 27	\$500.00
Count 5:	18 VAC 50-22-260.B 29 (2 at \$450. each)	\$900.00
Count 6:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00

Total	\$350.00
Further, Laurie St Patrick Scott agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. In addition, for violation of Count 2, Laurie St Patrick Scott agrees to a six month suspension of his license 2705-108108.	

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03227 Paramount Builders Inc. the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-03227
Paramount
Builders Inc

Paramount Builders Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$800.00
Board Costs		\$150.00
Total		\$950.00
Further, for violation of Count 1, Paramount Builders Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03293 Majid Khoshghad, t/a M K Builders the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-03293
Majid Khoshghad,
t/a M K Builders

As a Board representative, **Mr. Kinser** was not present and did not vote.

Majid Khoshghad, t/a M K Builders, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

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Count 1:	18 VAC 50-22-260 B 27	\$100.00
Board Costs		\$150.00
Total		\$250.00
In addition, for violation of Count 1, Majid Khoshghad agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03286, Dave’s Contracting Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-03286
Dave’s Contracting
Inc

As a Board representative, **Mr. Kinser** was not present and did not vote.

Dave’s Contracting Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$500.00
Count 2:	18 VAC 50-22-260 B 29	\$300.00
Count 3:	18 VAC 50-22-260 B 5	\$1,000.00
Board Costs		\$150.00
Total		\$1,950.00
Further, for violation of Count 1-3, Dave’s Contracting Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03497 Singeltary Construction, t/a Singeltary Construction, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-03497
Singeltary
Construction, t/a

**Singeltary
Construction**

As a Board representative, **Mr. Miller** was not present and did not vote.

Singeltary Construction, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$150.00
Count 2:	18 VAC 50-22-260 B 31	\$150.00
Board Costs		\$150.00
Total		\$450.00
In addition, for violation, Singeltary Construction agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03668 Sunrise Unlimited Construction Inc Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-03668
Sunrise Unlimited
Construction Inc

Sunrise Unlimited Construction Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$0.00
Count 2:	18 VAC 50-22-260 B 27	\$0.00
Count 3:	18 VAC 50-22-260 B 27	\$0.00
Count 4:	18 VAC 50-22-260 B 22	\$0.00
Board Costs		\$150.00
Total		\$150.00
Further, for violation of Counts 1-4, Sunrise Unlimited Construction Inc agrees to revocation of its license 2705-057149.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03835 Luis Alfredo Vasquez, t/a Vasquez

File Number

Construction, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

Luis Alfredo Vasquez, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

**2008-03835
Luis Alfredo
Vasquez, t/a
Vasquez
Construction**

Count 1:	18 VAC 50-22-260 B 27	\$500.00
Board Costs		\$150.00
Total		\$650.00
In addition, Luis Alfredo Vasquez agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03894 Robert Boone, t/a JCB Construction the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-03894
Robert Boone, t/a
JCB Construction**

Robert Boone, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$0.00
Board Costs		\$150.00
Total		\$150.00
In addition, for violation of Count 1, Robert Boone agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03915 Precon Systems Corporation, t/a Precon Systems Corporation, the Board reviewed the Consent Order. Incorporated in

**File Number
2008-03915**

the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

Precon Systems Corporation, t/a Precon systems Corporation

Precon Systems Corporation, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$500.00
Board Costs		\$150.00
Total		\$650.00
In addition, Precon Systems Corporation agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03940 K & T Enterprise, Inc., the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-03940
K & T Enterprise Inc.**

K & T Enterprise, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$500.00
Board Costs		\$150.00
Total		\$650.00
In addition, K & T Enterprise, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-03974 Estate Construction & Investments

File Number

LLC the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

2008-03974
Estate
Construction &
Investments LLC

Estate Construction & Investments LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$1,000.00
Count 2:	18 VAC 50-22-260 B 12	\$850.00
Count 3:	18 VAC 50-22-230 A	\$1,000.00
Board Costs		\$150.00
Total		\$3,000.00

In addition, **Estate Construction & Investments LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. Further, for violation of Count 2, Estate Construction & Investments LLC agrees to revocation of its license 2705-084438.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-04133 Deborah P Eldridge t/a Floors By M E, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-04133
Deborah P
Eldridge, t/a Floors
By M E

Deborah P Eldridge, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$0.00
Board Costs		\$150.00
Total		\$150.00

In addition, for violation of Count 1, **Deborah P Eldridge** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. It is noted that Deborah P Eldridge obtained a Class A license (2705-082567) on June 9, 2008.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the Matter of Consent Order 2008-04153 Carlton Wade Turner, t/a Turner Landscaping the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-04153
Carlton Wade
Turner, t/a Turner
Landscaping

Carlton Wade Turner, t/a Turner Landscaping, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$400.00
Count 2:	18 VAC 50-22-260 B 27	\$700.00
Board Costs		\$150.00
Total		\$1,250.00
In addition, Carlton Wade Turner agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-04156 Matt S Belcher, t/a B & W Excavating the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-04156
Matt S Belcher , t/a
B & W Excavating

Matt S Belcher., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$250.00
Count 2:	18 VAC 50-22-260 B 27	\$1600.00
Board Costs		\$150.00
Total		\$1,000.00
Further Matt S Belcher agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-04168 Henry Mead, t/a Mead Tile & Remodeling, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-04168
Henry Mead, t/a
Mead Tile &
Remodeling

Henry Mead, t/a Mead Tile & Remodeling, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$0.00
Board Costs		\$150.00
Total		\$150.00
In addition, Henry Mead agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-04209 Access 1st Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-04209
Access 1st Inc

Access 1st Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 10	\$500.00
Count 2:	18 VAC 50-22-260 B 31	\$800.00
Count 3:	18 VAC 50-22-260 B 12	\$850.00
Board Costs		\$150.00
Total		\$2,100.00
In addition, Access 1st Inc agrees to revocation of its license, 2705-070331.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-04452 Allen Chu, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-04452
Allen Chu

Allen Chu, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-30-190 15	\$500.00
Count 2:	18 VAC 50-30-190 1	\$500.00
Board Costs		\$150.00
Total		\$1,150.00
In addition, Allen Chu agrees to successfully complete a Board-approved remedial education class within 90 days of the order. In addition, for violation of Counts 1-2, Chu agrees to a six (6) month suspension of his license 2710-027608.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order File Number 2008-04546, Board v. Gary Hudson, t/a Hudson Home Improvements, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2008-04546
Gary Hudson, t/a
Hudson Home
Improvements

Gary Hudson acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Board Costs		\$150.00
Total		\$500.00
In addition, Gary Hudson. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2007-04650 Ervin Construction South LLC, t/a Ervin Construction South LLC, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2007-04650
Ervin Construction
South LLC, t/a
Ervin Construction
South LLC**

Ervin Construction South LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$200.00
Count 2:	18 VAC 50-22-260 B 14	\$500.00
Count 3:	18 VAC 50-22-260 B 16	\$2,500.00
Board Costs		\$500.00
Total		\$3,700.00

Further, **Ervin Construction South LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days. The Board shall waive imposition of the \$2,500.00 monetary penalty and license revocation for Count 3 provided Ervin Construction South LLC reimburses \$20,520.00 to Bamberger and provides the Board with proof of the payment within ninety days of the order.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

In the matter of Consent Order 2008-04627 Daniel Jones Remodeling LLC, t/a Daniel Jones Remodeling LLC, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2008-04627
Daniel Jones
Remodeling LLC,
t/a Daniel Jones
Remodeling LLC**

Daniel Jones Remodeling LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$650.00
Board Costs		\$150.00
Total		\$800.00

Further, **Daniel Jones Remodeling LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Ms. Wood** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

A. Board Member Training:

Mark Courtney conducted Board member training. The members thanked Mr. Courtney for the information he shared.

Other Board Business

B. Amended 2009-2010 Board member meeting schedule discussion:

After a discussion and a motion by **Mr. Redifer**, seconded by **Ms. Wood**, the Board unanimously voted to adopt the amended meeting schedule as presented. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

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C. Awarding of Resolutions:

The Board discussed the awarding of Resolutions for their prior Board Service. It was suggested by Mr. Kirby to award Mrs. Ann Rackas Pate a Resolution for her service to the citizens of the Commonwealth during the October 2008 Committee meeting.

After discussion a motion was made by Mr. Kirby and seconded by Ms. Tomlin to have staff prepare the Resolution for presentation. The motion passed by unanimous vote. Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Hart, Miller and Walton were absent.

There was no new business.

New Business

Their being no further business to come before the board, the meeting was adjourned at 2:48 P.M. upon a motion by Ms. Wood and seconded by Mr. Modisett. **The motion passed by unanimous vote.** Members voting “Yes” were: **Tomlin, Cronin, Smith, Kirby, Modisett, Redifer, Rusher, Wood, Williams and Sumpter.**

Adjournment

Hart, Miller and Walton were absent.

Robert Kirby, Chairman

Jay W. DeBoer, Secretary

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